

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-20 are pending in the application, with claims 1, 9, and 15 being the independent claims. Claims 9 and 15 are sought to be amended.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 102

The Office Action, at page two, rejected claims 1, 2, 5, 6, 7, 9, 10, 13, 15, 16, and 19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0004780 to Smith *et al.* (hereinafter "Smith"). Applicants respectfully traverse these rejections.

Independent claim 1 recites (emphasis added):

A system for forecasting weather-based demand, comprising:

a recombination processor;

wherein:

said recombination processor is configured to ***receive*** weather metric data;
said recombination processor is configured to receive a weather factor relationship knowledgebase; and
said recombination processor is configured to produce normalized weather factor metric data.

The Office Action, at pages two and three, contends (emphasis added) that Smith:

shows a system for forecasting weather-based demand, comprising: a recombination processor;
wherein: said recombination processor is configured to receive weather metric data ("The weather module 103 *sends* weather requests 209 to the weather information provider. ("Weather information provider 105 translates meteorological data into variables 201 that may be used in the weather module 103." Smith 2003/004780 ¶ [0029]);
said recombination processor is configured to receive a weather factor relationship knowledgebase ("Weather information provider 105 translates meteorological data into variables 201 that may be used in the weather module 103." Smith 2003/004780 ¶ [0029]); and
said recombination processor is configured to produce normalized weather factor metric data ("With respect to data provided by weather information provider 105a and 105b, certain information may be used by weather module 103a and 103b and/or enterprise system 101a and 101b in order to provide specific analysis. Relevant meteorological information should be on a time and geographic scale commensurate with the decision maker's (user's) needs." Smith 2003/004780 ¶ [0035])

The Examiner appears to equate weather module 103 of Smith with the recombination processor feature delineated by claim 1, to equate weather requests 209 of Smith with the weather metric data feature delineated by claim 1, and to equate variables 201 of Smith with the weather factor relationship knowledgebase feature delineated by claim 1. Even if, *arguendo*, these features of Smith correspond to the respective features delineated by claim 1, weather requests 209 of Smith is sent, not received, by weather module 103. Therefore, independent claim 1 is not anticipated by Smith.

Amended independent claim 9 recites (emphasis added):

A method for forecasting weather-based demand, comprising the steps of:

- (1) receiving, *at a processor*, weather metrics data;
- (2) receiving, *at the processor*, a weather factor relationship knowledgebase; and
- (3) forecasting, *at the processor*, the weather-based demand by using the weather metrics data and the weather factor relationship knowledgebase.

The Office Action, at page six, contends that Smith:

shows a method for forecasting weather-based demand, comprising the steps of:

- (1) receiving weather metrics data;
- (2) receiving a weather factor relationship knowledgebase; and
- (3) forecasting the weather-based demand by using the weather metrics data and the weather factor relationship knowledgebase. ("With respect to data provided by weather information provider 105a and 105b, certain information may be used by weather module 103a and 103b and/or enterprise system 101a and 101b in order to provide specific analysis. Relevant meteorological information should be on a time and geographic scale commensurate with the decision maker's (user's) needs." Smith 2003/004780 ¶ [0035])

As stated above, Smith does not disclose, teach, or suggest receiving, at a processor, weather metrics data. Therefore, amended independent claim 9 is not anticipated by Smith.

Amended independent claim 15 recites (emphasis added):

A computer program product for forecasting weather-based demand, said computer program product having computer program code means embodied in a computer useable medium, said computer program code means comprising:

a first program code means for receiving, *at a processor*, weather metrics data;

a second program code means for receiving, *at the processor*, a weather factor relationship knowledgebase; and

a third program code means for forecasting, *at the processor*, the weather-based demand by using the weather metrics data and the weather factor relationship knowledgebase.

The Office Action, at pages seven and eight, contends that Smith:

shows a computer program product for forecasting weather-based demand, said computer program product having computer program code means embodied in a computer useable medium, said computer program code means comprising:

a first program code means for receiving weather metrics data;

a second program code means for receiving a weather factor relationship knowledgebase; and

a third program code means for forecasting the weather-based demand by using the weather metrics data and the weather factor relationship knowledgebase.

("With respect to data provided by weather information provider 105a and 105b, certain information may be used by weather module 103a and 103b and/or enterprise system 101a and 101b in order to provide specific analysis. Relevant meteorological information should be on a time and geographic scale commensurate with the decision maker's (user's) needs." Smith 2003/004780 ¶ [0035])

As stated above, Smith does not disclose, teach, or suggest receiving, at a processor, weather metrics data. Therefore, amended independent claim 15 is not anticipated by Smith.

Each of claims 2, 5, 6, 7, 10, 13, 16, and 19 is also not anticipated by Smith because each of these claims depends upon claims 1, 9, or 15 and because of the additional distinctive features of each of claims 2, 5, 6, 7, 10, 13, 16, and 19.

Accordingly, Applicants respectfully request that the Examiner reconsider claims 1, 2, 5, 6, 7, 9, 10, 13, 15, 16, and 19, remove the rejections of these claims under 35 U.S.C. § 102(e), and pass these claims to allowance.

Rejections Under 35 U.S.C. § 103

The Office Action, at page nine, rejected claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6,473,084 to Phillips *et al.* (hereinafter "Phillips"). Applicants respectfully traverse these rejections.

Each of claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 depends upon claims 1, 9, or 15. As stated above, each of claims 1, 9, and 15 is patentable over Smith because Smith does not disclose, teach or suggest receiving, at a processor, weather metrics data. Phillips does not overcome this deficiency. Therefore, each of claims 1, 9, and 15 is patentable over Smith in

view of Phillips. Accordingly, each of claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 is patentable over Smith in view of Phillips. Applicants respectfully request that the Examiner reconsider claims 3, 4, 8, 11, 12, 14, 17, 18, and 20, remove the rejections of these claims under 35 U.S.C. § 103(a), and pass these claims to allowance.

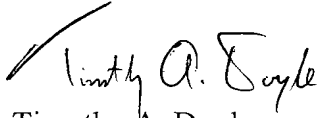
Conclusion

All of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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